SIMON & KOERNER LLP

ATTORNEYS AT LAW

10052 Pasadena Avenue, Suite B, Cupertino, CA 95014 Telephone (408) 873-3941, Facsimile (408) 873-3945

FACSIMILE COVER SHEET

To:

United States Patent and Trademark Office Attn: Examiner D. Petkovsek in Art Unit 2874

Fax Number:

703-872-9306

From:

Nancy R. Simon (408) 873-3941

RECEIVED CENTRAL FAX CENTER

Fax Number:

Phone Number:

(408) 873-3945

NOV 1 2 2004

Date:

November 12, 2004

Total pages:

<u>12</u> (includes cover sheet)

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

Message: RE: U.S. Patent Application 09/965,537

An Amendment (10 pages) and a Transmittal Form (1 page) for the aboveidentified patent application are attached for your consideration. If you have any questions, please do not hesitate to contact me.

Sincerely,

Nancy R. Simon

2:35PM

PTO/3B/21 (03-03)
Approved for use through 04/30/2003, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Penerwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OM9 control number. **Application Number** 09/965,537 TRANSMITTAL Filing Date September 26, 2001 FORM First Named Inventor Lecey, Jonathan Art Unit 2874 (to be used for all correspondence after initial filing) **Examiner Name** Petkovsek, D. J. Attorney Docket Number 10004238-1 12 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to a Technology Center (TC) Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC ~ Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Identify below): Extension of Time Request Fax Cover Sheet Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Nancy R. Simon, Reg. No. 36,930 ۵r Individual ana Signature

Date	November 12, 2004					
	CERTIFICATE OF TRANSMISSION/MAILING					
I hereby certify ti	est this correspondence is being face	simile transmitted	to the United States Paten		o fax number ovember 12,	
Typed or pr	inted Narky R. Simon	0				
Signature	Yana	ıK.	Juna	<u> </u>	Date	November 12, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Petent and Trademerk Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	
JONATHAN LACEY	Attorney Docket: 10004238-1
Serial No.: 09/965,537)	Examiner: D. J. PETKOVSEK
Filed: SEPTEMBER 26, 2001	Group Art Unit: 2874
For: BROADCAST NETWORK USING) MULTI-FIBER CABLE)	RECEIVED CENTRAL FAX CENTER
	NOV 1 2 2004

AMENDMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the office action mailed March 1, 2004, please amend the aboveidentified application as follows. Please charge any fees necessary for prosecution of the present application to deposit account no. 50-1443.

	CERTIFICATE OF TRANSMISSION
1	37 C.F.R. 1.8
I hereby certify that this corr	espondence is being facsimile transmitted to the United States Patent and
Trademark Office, fax hughb	er (703) 872-9306, on November 12, 2004.
N I	- ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '
	ancy R. Omor
1	Nancy R. Simon